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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,729	02/07/2002	Wen-Sung Tsai	CEIP0037USA	8659
27765	7590	07/02/2004	EXAMINER	
NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)			LUU, MATTHEW	
P.O. BOX 506			ART UNIT	PAPER NUMBER
MERRIFIELD, VA 22116			2672	14

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

***Acknowledgement of Reply Brief***

The reply brief filed April 23, 2004 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

**Re: Arguments Against the References Individually**

In response to Appellant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

**Re: The Limitation of "a plurality of sensors for detecting different color of ambient light"**

This limitation is "**broad**". It does not require specific colors of light such as Red, Green, and Blue being detected. Naturally, the ambient light itself has many different colors to begin with, i.e., it contains many light spectra with different light wavelengths, and thus different colors of light. Therefore, the ambient light sensors (580a and 580b) of Hansen definitely detect the ambient brightness and also "different colors of ambient light".

Furthermore, the Hirose reference discloses (Figs. 2-3) a plurality of different colors light sensors (16a and 16b), wherein the sensor (16a) for detecting a blue color level and another sensor (16b) for detecting a different red color level. See column 3, lines 33-34; and column 4, lines 1-5. Therefore, a plurality of different colors light sensors (16a and 16b) read on the limitation "a plurality of sensors for detecting different color of ambient light"

Re: Reasons for combining the references

The Applicant has alleged that the sensors 16a and 16b are in very close proximity therefore they are considered as "a single sensor device". However, the Hirose reference clearly discloses (Figs. 2-3) a plurality of different colors light sensors (16a and 16b), wherein the sensor (16a) for detecting a blue color level and another sensor (16b) for detecting a different red color level. See column 3, lines 33-34; and column 4, lines 1-5.

Furthermore, to duplicate parts (in this case, the sensors) for a multiplied effect is not the type of innovation for which a patent monopoly is to be granted. St. Regis paper Co. v. Bemis Co., Inc., 193 USPQ 8, 11 (7<sup>th</sup> Cir. 1977).

Summary

For the above reasons, it is believed that the rejections should be sustained.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUU MATTHEW whose telephone number is (703) 305-4850. The examiner can normally be reached on 9 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RAZAVI MICHAEL can be reached on (703) 305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



M. Luu

**MATTHEW LUU**  
**PRIMARY EXAMINER**